

**SUPREME COURT OF WISCONSIN**  
**OFFICE OF LAWYER REGULATION**

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**Public Reprimand With Consent**

**Chris J. Trebatoski**  
**Attorney at Law**

**04-OLR-7**

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Attorney Chris J. Trebatoski, age 44, Milwaukee, stands convicted of a Class A misdemeanor charge of knowingly giving false information to a law enforcement officer. That charge arose from a burglary Trebatoski reported in the early morning hours of August 25, 2003. Prior to the reported burglary, Trebatoski had gone to the Potawatomi Bingo Casino for the purpose of gambling. While at the casino, Trebatoski made ten attempts to use his ATM and credit cards to withdraw cash to gamble, but for various reasons none of those attempts was successful. Trebatoski returned home and reported struggling with a burglar, who eventually ran away. Leaving his wallet and credit cards on a table where he had dropped them before confronting the burglar, Trebatoski then drove to the Whitefish Bay Police Department to report the burglary. He was transported to the hospital for treatment of minor injuries. Upon returning to the police station, Trebatoski was advised by the police to check with his credit card company regarding possible use of his cards. He was later informed that police officers had found Trebatoski's wallet and credit/ATM cards in a dumpster one-half block from Trebatoski's home.

Upon checking with his credit card company, Trebatoski was told by the credit card company that someone had made several unsuccessful attempts to use his credit/ATM cards at the casino at 2:27 A.M., which would have been after his return home. He reported this to the police. Neither he nor the police knew, at the time, that the credit card company's information was based on Eastern Standard Time. Trebatoski was asked whether he had personally used a credit/ATM card during his visit to the casino and he initially denied that he had. Later he told police that he had just recalled that he did make an attempt to use a credit card at the casino, but maintained that the other attempts to use the cards were fraudulent. The Whitefish Bay Police investigated the reported burglary and what they believed might have been the cloning of Trebatoski's ATM/credit cards. After they subpoenaed surveillance camera videos of the casino ATM machines, however, they discovered that it was Trebatoski himself who had made each of the attempted withdrawals. None of his attempts to use the card had been successful.

Almost a month after the burglary was first reported, the police contacted Trebatoski and asked if he would sign affidavits to the effect that he was not the one who had used the cards. On September 21, 2003, therefore, Trebatoski signed six affidavits with regard to six separate transactions. Each affidavit read, in part:

I, Chris J. Trebatoski, . . . being duly sworn upon oath, do hereby state that I did not make, or authorize anyone else to make, the following transaction.

On October 2, 2003, the Whitefish Bay police showed the surveillance tapes to Trebatoski, and Trebatoski acknowledged that he had intentionally misled the police. He stated that he did so because he was embarrassed about his attempts to gamble and did

By engaging in criminal conduct that reflects adversely on his honesty, trustworthiness or fitness as a lawyer in other respects, Atty. Trebatoski violated SCR 20:8.4(b). By signing six affidavits that averred that he had not made credit card/ATM transactions that he had in fact attempted to make, Atty. Trebatoski engaged in conduct involving misrepresentation, contrary to SCR 20:8.4(c).

Dated this 6th day of December, 2004.

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John A. Fiorenza, Referee